

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

Case No. 09-cr-00368-CW-1

ORDER TO SHOW CAUSE RE:
JOHNSON CLAIM RAISED IN
SECTION 2255 MOTION

10 Before the Court is the motion of James Morgan (Movant) for
11 an order under 28 U.S.C. § 2255 to vacate, set aside or correct
12 his sentence on the ground that his sentence has been rendered
13 invalid by the Supreme Court's holdings in Johnson v. United
14 States, 135 S. Ct. 2551 (2015) and Sessions v. Dimaya, 138 S. Ct.
15 1204 (2018).

16 The following deadlines will apply: (1) within 75 days after
17 the § 2255 motion was filed, the government shall file an
18 opposition conforming in all respects to Rule 5 of the Rules
19 Governing Section 2255 Proceedings, showing cause why the court
20 should not "vacate, set aside or correct the sentence" being
21 served by Movant; (2) Movant shall file a reply brief 45 days
22 after the opposition is filed.

23 Thereafter, the matter will be deemed submitted on the
24 papers.

25 IT IS SO ORDERED.

27 || Dated: September 4, 2018

Chadiele Witt